

# SENATE BILL 478

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11r2258

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By: **Senator Kittleman**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Cosmetologists, Esthetic Service Providers, and Nail Technicians – Salon**  
3 **Affiliation Requirement – Repeal**

4 FOR the purpose of repealing certain provisions of law that prohibit a person who  
5 practices cosmetology, provides esthetic services, or provides nail technician  
6 services from providing certain services in any place other than a beauty salon  
7 that holds a beauty salon permit or a barbershop that holds a barbershop  
8 permit; repealing certain provisions of law regarding certain exceptions to  
9 certain place of practice licensing requirements; and generally relating to  
10 repealing salon affiliation requirements for cosmetologists, esthetic service  
11 providers, and nail technicians.

12 BY repealing

13 Article – Business Occupations and Professions  
14 Section 5–605  
15 Annotated Code of Maryland  
16 (2010 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Business Occupations and Professions**

20 **[5–605.**

21 (a) Except as provided in §§ 5–302 and 5–303 of this title and subsection (b)  
22 of this section, a person may not practice cosmetology, provide esthetic services, or  
23 provide nail technician services in any place other than:

24 (1) a beauty salon that holds a beauty salon permit; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   (2)     a barbershop that holds a barbershop permit issued under Title 4  
2 of this article.

3                   (b)     (1)     A licensed cosmetologist, esthetician, or nail technician may  
4 practice cosmetology and provide services in:

5                               (i)     a facility in which beautification-oriented medical services,  
6 authorized by the Department of Health and Mental Hygiene, are provided;

7                               (ii)    the residence of an individual confined to the residence by  
8 reason of a physical or mental infirmity;

9                               (iii)  an assisted living facility as defined in § 19-1801 of the  
10 Health – General Article;

11                              (iv)    a hospice facility defined in § 19-901(c) of the Health –  
12 General Article;

13                              (v)    a nursing home as defined in § 19-1401(e) of the Health –  
14 General Article; or

15                              (vi)   a hospital as defined in § 19-301 of the Health – General  
16 Article or a similar institution.

17                   (2)     To practice in any of the locations specified in this subsection:

18                              (i)     the licensed cosmetologist, esthetician, or nail technician  
19 shall be sponsored by a beauty salon in which the cosmetologist, esthetician, or nail  
20 technician is authorized to practice;

21                              (ii)    the patron to whom the services are rendered shall be a  
22 customer of the beauty salon; and

23                              (iii)  the services shall be rendered by appointment through the  
24 beauty salon.]

25                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2011.